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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/504,150	02/15/2000	Michael George Bunn	190-1445	7518

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Lee Mann Smith McWilliams Sweeney & Ohlson
P O Box 2786
Chicago, IL 60690-2786

EXAMINER

KIM, JUNG W

ART UNIT PAPER NUMBER

2132

DATE MAILED: 04/26/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/504,150

Applicant(s)

BUNN, MICHAEL GEORGE

Examiner

Jung W Kim

Art Unit

2132

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 08 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-15.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Continuation of 2. NOTE: Claim 16 introduces the following new issue, which requires further consideration and/or search: the invention defined is a method for authenticating a printed test certificate wherein the test certificate producer is checked for authorization to perform a test. This new limitation was not specified in any of the original or previously amended claims.

Continuation of 5. The request for reconsideration does NOT place the application in condition for allowance because: Applicant stipulates that the 112, first paragraph rejection is overcome by the disclosure of an embodiment of the invention in the current specification wherein a central server performs a check to confirm that a tester and a vehicle test station are duly authorized to perform a test (see specification, page 5), and hence are ipso facto authorized to produce a test certificate (see Amendment, page 6, 2nd paragraph). However, the step of authorizing a tester and test station to perform a test is distinctly different in nature than the step of authorizing a document producer to produce a document (as defined in the independent claims 1 and 13). Further, the applicant's implication fails to also consider whether or not the test result was a "pass" or if the tester confirmed the results of the test (see Specification, page 4, first 4 full paragraphs). As such, the disclosure is not enabling for the limitation of an authentication authority checking whether the document producer is authorized to produce the document as defined in the claims. Furthermore, in regards to applicant's assertion that the present invention is concerned with verifying the authenticity of a printed document (see Amendment, page 8, last paragraph), the claims define a distinctly different type of method and apparatus: the steps of verifying the authenticity of a printed document checks for uniqueness and modifications to a printed document (typically using a hash, checksum, digital signature, or a seal); however, the steps of authenticating a printed document (the preamble of independent claims 1 and 13) requires only a quantity that uniquely identifies the printed document. In the case of the Kocher prior art of record, a cryptographic hash identifies the printed document. Hence, applicant's arguments are not pointed to the claimed inventions and the claimed inventions are not patentably distinguished from the Kocher reference. Finally, applicant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).